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**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**Illuminated Animated Ornament**

the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to in this oath or declaration.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 (a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed:

**none**

I hereby claim the benefit under 35 USC §119(e) of any United States provisional application listed below:

**Application(s): No. 60/259,287**

**Filed: January 02, 2001**

I hereby claim the benefit under Title 35, United States Code, §120 or §365(c) of any PCT International application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

**none**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:


MYRON COHEN, Reg. No. 17,358; THOMAS C. PONTANI, Reg. No. 29,763; LANCE J. LIEBERMAN, Reg. No. 28,437; MARTIN B. PAVANE, Reg. No. 28,337; MICHAEL C. STUART, Reg. No. 35,698; KLAUS P. STOFFEL, Reg. No. 31,668; EDWARD WEISZ, Reg. No. 37,257; VINCENT M. FAZZARI, Reg. No. 26,879; JULIA S. KIM, Reg. No. 36,567; ALFRED FROEBRICH, Reg. No. 38,887; ALFRED H. HEMINGWAY, JR., Reg. No. 26,736; KENT H. CHENG, Reg. No. 33,849; YUNLING REN, Reg. No. 47,019; ROGER S. THOMPSON, Reg. No. 29,594; F. BRICE FALLER, Reg. No. 29,532; DAVID J. ROSENBLUM, Reg. No. 37,709; TONY CHEN, Reg. No. 44,607; ELI WEISS, Reg. No. 17,765.

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Address all correspondence to:  
Martin B. Pavane, Esq.  
Cohen, Pontani, Lieberman & Pavane  
551 Fifth Avenue, Suite 1210  
New York, New York 10176

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole or First Inventor: David S. XOGEL

Inventor's signature: 

Dated: 12/28/01  
Month/Day/Year

Residence: New York, NY

Citizenship: United States

Post Office Address: 36 East 12<sup>th</sup> Street  
New York, NY 10003

**Full Name of Second Joint Inventor: Dean DiPIETRO**

**Inventor's signature:** \_\_\_\_\_

**Dated:** \_\_\_\_\_  
Month/Day/Year

**Residence:** New York, NY

**Citizenship:** Canadian

**Post Office Address:** 97 Second Avenue  
New York, NY 10003



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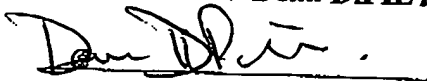
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**none**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements

**Full Name of Second Joint Inventor: Dean DiPIETRO**

**Inventor's signature:**



**Dated:**

12/28/01  
Month/Day/Year

**Residence:**

**New York, NY**

**Citizenship:**

**Canadian**

**Post Office Address:**

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